

## Food Safety Notice

---

# **FOOD SAFETY CERTIFICATION FOR OWNERS, OPERATORS AND EMPLOYEES OF MULTIPLE STATIONARY MOBILE FOOD PREPARATION UNITS**

As of January 1, 2000, operators of all food facilities that handle non-prepackaged food items are required by the California Uniform Retail Food Facilities Law (CURFFL) to have a designated owner or employee who has passed an approved food safety certification course. Food facilities that handle only prepackaged foods are exempt from this requirement.

Section 113176 of CURFFL states that, for the purposes of complying with the food safety certification requirement, “multiple contiguous food facilities permitted within the same site and under the same management, ownership, or control shall be deemed to be one food facility, notwithstanding the fact that the food facilities may operate under separate permits.” Section 113176 further states that the certified owner or employee need not be present at the food facility during all hours of operation.

The interpretation of these CURFFL sections is relatively straightforward as applied to food establishments. However, the terms “multiple, contiguous” present difficulties when applied to stationary mobile food preparation units (SMFPUs) operating at fairs or approved occasional events. Some jurisdictions within California allow one certified owner or employee to oversee the operations of two or more SMFPUs owned by the same person. Other jurisdictions have required a separate certified owner or employee for each SMFPU.

In an attempt to standardize the enforcement of Section 113176 of CURFFL throughout California, the California Department of Health Services (DHS) suggests that all local regulatory agencies adopt the following policy:

One owner or employee who has successfully passed an approved food safety certification examination may oversee the operation of two or more SMFPUs under the same management, ownership or control while participating in any state, county, district or citrus fair or any approved event, if the following requirements are met:

1. At least one certified owner or employee must be available at the fairgrounds or event site during all hours that the SMFPUs are operational (including pre-opening preparation time, hours when each SMFPU is open for business and post closure clean-up time).

## Food Safety Notice

---

2. The certified owner or employee must be present at each SMFPU during the pre-opening health permit inspection.
3. Prior to the issuance of a health permit to operate each SMFPU, the food handlers assigned to each SMFPU shall demonstrate adequate knowledge of food safety principles commensurate with the food handling activities they are expected to perform. The demonstration of food safety knowledge should be specific to the non-prepackaged food items actually being prepared and/or served from the respective SMFPUs. For example, the level of knowledge required for persons handling non-prepackaged, non-potentially hazardous foods would relate primarily to personal hygiene issues. In addition, knowledge of proper food temperature control would be required for individuals handling non-prepackaged, potentially hazardous foods.
4. The certified owner or employee must be readily available by telephone, pager, or other means and must respond in person to on-site regulatory agency staff should problems arise during the course of the fair or occasional event.
5. If an enforcement agent finds that there is a lack of adequate food safety training and/or supervision of the food handlers, as outlined above, in any SMFPU that is not staffed by a person certified in food safety, a solely dedicated owner or employee certified in food safety may be required for that SMFPU.

Food safety is the bottom line. Since the certified owner or employee is not required to be present in the SMFPU at all times during operational hours, the burden is on the actual food handlers to prepare and dispense foods in a safe manner. Local regulatory staff can quickly determine, by asking a few pertinent and applicable questions, if the food handlers have been given adequate food safety training and supervision.

It is anticipated that the interpretation and procedures detailed above will provide a fair, workable arrangement for the owners of multiple SMFPUs and regulatory agency staff alike.